

FRANK QUINCE,)
)
 Plaintiff,)
)
 v.) **No. 2:23-cv-00062**
)
 TIM CLAFLIN, et al.,)
)
 Defendants.)

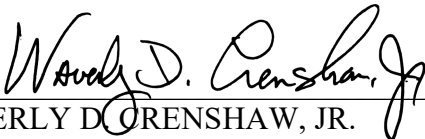
Before the Court is the Magistrate Judge’s Report and Recommendation (“R&R”) (Doc. No. 28) recommending that the Court dismiss this action without prejudice pursuant to Federal Rule of Civil Procedure 41(b) and find Defendants Tim Claflin (“Claflin”) and Mike Hassler’s (“Hassler”) motion for leave to depose Plaintiff Frank Quince (“Quince”) (Doc. No. 22) and motion for sanctions (Doc. No. 23) moot. Quince has not filed timely objections to the R&R despite the R&R’s specific warnings regarding waiver. (See Doc. No. 28 at 11).

Having thoroughly reviewed the R&R, the Court agrees with the Magistrate Judge's analysis. Specifically, the Court agrees that: (1) Quince's failure to comply with the Court's orders, despite the Court's repeated warnings that his case could be dismissed absent further action from Quince, warrants dismissal under Rule 41(b); and (2) dismissal without prejudice is appropriate, particularly considering Quince's *pro se* status. (See *id.* at 7–10).

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DENIED AS MOOT. The Clerk shall enter a final judgment under Rule 58 of the Federal Rules of Civil Procedure and close this case.

IT IS SO ORDERED.



WAVERLY D. ORENSHAW, JR.
UNITED STATES DISTRICT JUDGE